

## **RELIGION/FAITH-BASED EXEMPTION**

### **290-2-2-.05(e)10**

A center that is licensed by the department may request an exemption from licensure if the center's program is an integral part of an established religious congregation or religious school that conducts regularly scheduled classes, courses of study, or educational programs and is a member of or accredited by or certified by a state, regional, or national accrediting agency for religious educational instruction or a state, regional, or national accrediting agency for educational instruction as recognized and approved by the department if such accrediting entity uses standards that are substantially similar to those established by the department. The following requirements shall apply to centers seeking an exemption from licensure:

(i) A center seeking such exemption from licensure shall be required to submit to the department documentation of certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and any other pertinent documentation as requested by the department, such as non-profit tax-exempt verification. The accrediting agency must conduct regularly scheduled visits to the center while such center remains accredited.

(ii) If such exemption is granted, the center shall submit annual documentation to the department verifying its continued certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and other pertinent documentation as may be requested by the department.

(iii) Such exemptions granted by the department are valid as long as the center remains certified or accredited. The program shall provide the department written notice within five (5) business days of the center's loss of certification or accreditation, including a copy of such notification from the certifying or accrediting entity. The department shall rescind the center's exemption granted herein upon notification of the loss of certification or accreditation.

(iv) Any center seeking such exemption shall comply with all applicable requirements for background checks for directors/employees as required in O.C.G.A. Section 20-1A-30 et seq., Chapter 290-2-2, Rules and Regulations for Day Care Centers, Chapter 591-1-1, Rules for Child Care Learning Centers, and department policies, as well as applicable local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements while such exemption is in effect. The department retains jurisdiction over centers granted such exemption to conduct unannounced periodic background check audits and to conduct complaint investigations regarding compliance with background check requirements, as well as compliance with local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements.

(v) The department may rescind such exemption for a center's failure to comply with the requirements for background checks for directors/employees pursuant to O.C.G.A. Section 20-1A-30 et seq., Chapter 290-2-2, Rules and Regulations for Day Care Centers, Chapter 591-1-1, Rules for Child Care Learning Centers, and department policies.

(vi) The department may rescind such exemption for a center's failure to comply with local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements.

(vii) Any center applying for such exemption that is owned and/or under the legal control/direction of the certifying or accrediting entity shall not be approved by the department.

(viii) A center seeking such exemption shall adopt and comply with the minimum standards of its certifying or accrediting entity for the operation of the center's program. Such minimum standards adopted by the center shall be published and made available to parents of enrolled or prospective children upon request.

(ix) A center granted such exemption shall comply with the requirements of O.C.G.A. Section 49-5-5(t) regarding providing notice to parents of enrolled children if the center does not carry liability insurance.

(x) A center granted such exemption shall post in a conspicuous place in the facility a copy of the exemption granted by the department and shall notify the parent and guardian of each child under the care of the facility in writing that the center has been granted an exemption from licensure by the department. The copy of the exemption posted by the Center shall be at least 1/2 inch letters and shall contain the department's telephone number and website address in case any parent or prospective parent has any questions regarding the exemption.

Authority O.C.G.A. Chapter 49-5-12 (1982 and 1982 Supp.); O.C.G.A. Sec. 49-5-8; O.C.G.A. Section 20-1A-1 et seq.